

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 ORVAL FRAZIER,

12 Plaintiff,

13 v.

14 HAROLD CLARKE, *et al.*,

15 Defendants.

16 Case No. C07-5691 FDB

17 ORDER ADOPTING REPORT AND
18 RECOMMENDATION
19 GRANTING DEFENDANTS'
20 MOTION FOR SUMMARY JUDGMENT

21 The Magistrate Judge recommends that Defendants in this prisoner civil rights action
22 be granted summary judgment and the action be dismissed with prejudice. As detailed by the
23 Magistrate Judge, Defendants provided evidence showing that Plaintiff's medical treatment was
24 appropriate and that Plaintiff's loss of vision and retina detachment was unrelated to the iritis for
25 which he was treated. Plaintiff did not conduct any discovery during the six-month time frame
26 allowed by the Court and Plaintiff failed to come forward with any admissible evidence to support his
27 claim and contradict Defendant's evidence. Plaintiff has not filed an objection to the Report and
28 Recommendation. Defendants are entitled to summary judgment.

29 The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of
30 Magistrate Judge J. Kelley Arnold, and the remaining record, does hereby find and ORDER:

- 31 (1) The Court adopts the Report and Recommendation;
32 (2) This action is **DISMISSED WITH PREJUDICE**.

1 (3) Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and
2 to the Hon. J. Kelley Arnold.

3 DATED this 2nd day of September, 2008.

4
5
6
7 
8 FRANKLIN D. BURGESS
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28